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OFFICE OF PETITIONS

In re Application of :
Sachiko Liebergesell :
Application No. 10/634,590 :
Filed: August 5, 2003 :
Attorney Docket No. SON-1963/DIV2 :

DECISION GRANTING PETITION

This is a decision on the petition filed April 12, 2005, requesting that the above-identified application be accorded a filing date of August 5, 2003, with three sheets of drawings as part of the original disclosure.

The petition is **granted**.

On August 5, 2003, the above-identified application was filed. On March 21, 2005, the Office of Initial Patent Examination mailed a "Notice of Incomplete Nonprovisional Application" (the "Notice"), stating that the application had not been accorded a filing date because drawings were not found with the original application papers, but were believed to be required in order to accord the application a filing date. The Notice allowed a non-extendable two-month period for reply beginning from the mailing date of the Notice.

In response, on April 12, 2005, applicants filed the present petition, a copy of the three sheets of drawings, and a postcard receipt date-stamped by the Office acknowledging having received three sheets of drawings on August 5, 2003, among other items.

Upon review of the record, the three sheets of drawings were located among the application papers. The drawings were apparently overlooked by the Office of Initial Patent Examination. Therefore, the application, including the three sheets of drawings was complete on filing and entitled a filing date of August 5, 2003. The petition fee of \$400.00 will be refunded, in due course.

The application file will be directed to the Office of Initial Patent Examination for further processing with a filing date of August 5, 2003, using the three sheets of drawings filed on that date. The Office of Initial Patent Examination will issue a corrected filing receipt.

Any inquiries related to this decision should be directed to the undersigned at (571) 272-3222.

Kenya A. McLaughlin
Petitions Attorney
Office of Petitions